

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| |) | |
| v. |) | Criminal No. 04-40002-NMG |
| |) | |
| |) | |
| JOSEPH DiFLUMERA |) | |
| |) | |

**DEFENDANT'S ASSENTED-TO MOTION TO EXTEND
DEADLINE TO FILE SUBSTANTIVE MOTIONS**

Defendant Joseph DiFlumera hereby moves the Court to extend the deadline to file substantive motions.

1. The Court's January 31, 2005 Status Report set the deadline for Defendant to file substantive motions as March 11, 2005 and the deadline for the Government to file its opposition to those motions as March 25, 2005.

2. Defendant's Attorney, Paul Kelly, has unexpectedly had to travel out of town on another matter this week.

3. The additional time shall be excludable for purposes of the Speedy Trial Act.

4. Assistant United States Attorney Laura Kaplan has reviewed and assented to this motion on behalf of the Government.

WHEREFORE, DiFlumera respectfully requests that the deadline for the Defendant to file substantive motions be extended to March 25, 2005 and the deadline for the Government to file its opposition to those motions be extended to April 8, 2005.

By his attorneys,

/s/ Paul V. Kelly
Paul V. Kelly
Nicholas A. Klinefeldt
KELLY, LIBBY & HOOPES, P.C.
175 Federal Street
Boston, MA. 02110
(617) 338-9300

Date: March 8, 2005